

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JARED J. GROGAN,

Plaintiff,

-v-

No. 20-CV-3345-LTS-OTW

NEW YORK UNIVERSITY et al.,

Defendants.

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ORDER

On December 19, 2024, Magistrate Judge Ona T. Wang issued a Report and Recommendation (docket entry no. 132 (the “Report”)), recommending that this case be dismissed pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

As detailed in Judge Wang’s Report, aside from filing a notice of change of address on May 15, 2024 (docket entry no. 123), Plaintiff has not communicated with the Court since filing a motion for recusal on September 13, 2023 (docket entry no. 102). Among the notable lapses in communication are Plaintiff’s failure to respond to Defendants’ motion to enforce a settlement agreement, and Plaintiff’s failure to respond as directed to two orders entered by Judge Wang, both of which included a warning that failure to timely respond would result in Judge Wang’s recommendation that this case be dismissed for failure to prosecute. (Report at 5-6.) Plaintiff also did not file an objection or otherwise respond to Judge Wang’s Report.

In light of Plaintiff’s pro se status, the undersigned entered an order to show cause on January 29, 2025, affording Plaintiff a final opportunity to explain his lapse in prosecuting

this case. (Docket entry no. 134 (“Order to Show Cause”).) Plaintiff was granted until February 13, 2025, to file a written declaration as to why the Court should not dismiss his case, with prejudice, for failure to prosecute, pursuant to Rule 41(b). (Id. at 1-2.) Plaintiff was warned that, if he failed to file such declaration, or failed to establish good cause for his failure to prosecute this case, the Court would dismiss this action with prejudice on February 20, 2025. (Id. at 2.)

As of the date of this Order, Plaintiff has not filed a response to the Court’s Order to Show Cause or sought an extension to respond, and the time within which to do so has expired. Accordingly, and having found no error in Judge Wang’s thorough Report, the Court adopts the Report in its entirety.

Plaintiff’s action is dismissed, with prejudice, and the Clerk of Court is directed to enter judgment, close this case and terminate all pending motions.

SO ORDERED.

Dated: New York, New York
February 20, 2025

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge